

Meeting Record

MPO Officials Committee Meeting

Thursday, June 23, 2011; 1:30 p.m.

Mayor's Conference Room

County/City Building, 555 South 10th Street

Lincoln, Nebraska

MEMBERS IN ATTENDANCE: Mayor Beutler; Gene Carroll and Adam Hornung, City Council; Larry Hudkins on behalf of Bernie Heier, and Deb Schorr, County Board of Commissioners; Tom Goodbarn on behalf of Mike Owen, NDOR.

OTHERS IN ATTENDANCE: Greg MacLean, Public Works & Utilities; Marvin Krout, Michael Brienzo, and Jean Preister, Planning Department.

Roll call and acknowledge the Nebraska Open Meeting Act"

The meeting was called to order at 1:30 p.m. by Chair Gene Carroll. The Nebraska Open Meeting Act was acknowledged.

Review and action on the draft minutes of the February 4, 2011 Officials Committee meetings

Schorr moved approval of the February 4, 2011 Officials Committee meeting notes, seconded by Schorr. The motion for approval tied 3-3 due to abstention by Hornung, Hudkins and Goodbarn. Minutes were considered approved.

Brienzo announced that the election of Chair and Vice-Chair will be on the next agenda.

Review and action on two *revisions* to the FY 2011-2014 Transportation Improvement Program.

- a) **City of Lincoln Parks Department: Bison Trail Bridge Replacement**
- b) **State of Nebraska: I-80 Air Park to West Jct US-77, resurfacing project**
- c) **State of Nebraska: I-80 Milford to Air Park, resurfacing project**

Brienzo stated that there are two amendments. Amendment 5 is the Ped, Bike, Trails project for the City of Lincoln Parks & Recreation Department. The Parks Department was fortunate to receive some recreational trails program funding to replace the bridge on the Bison Trail on the west side of Hwy 77. A formal amendment to the TIP is required in order to obligate those funds.

Brienzo handed out an updated version of Amendment 6 for the State of Nebraska Department of Roads to mill and resurface I-80 basically through Lancaster county and east to Milford. This amendment is defined in two projects rather than one: Mill and resurface I-80 Airpark to West Junction US 77 at a cost of two million dollars, and the second is to mill and resurface from Milford to Airpark at a cost of eight million dollars. These are all Nebraska and interstate improvements from maintenance funds. This amendment will allow them to move ahead and obligate federal funds. The addition of these projects to the TIP does not compromise its fiscal constraint nor move any projects back in the programming period.

Hornung moved approval of Amendments 5 and 6, as distributed today, seconded by Hudkins and carried unanimously.

Review and action on 2010 Self-Certification that the Transportation Planning Process for the Lincoln Metropolitan Area complies with applicable federal laws and regulations. Includes a status report on the FHWA/FTA Joint Certification Review of the Lincoln MPO and the *Action Plan for Addressing the Quadrennial Certification Review*

Brienzo discussed the FTA/FHWA Corrective Action Report, explaining that the FHWA and FTA meet with MPO planning staff once every four years to evaluate our transportation planning process. It is a three-day evaluation during which public meetings are held for public input resulting in a report by the FHWA and FTA identifying three types of items: Corrective Actions (deficiencies that seriously impact the outcome of the overall planning process); Programmatic Recommendations (less substantial but significant enough that FHWA and FTA may have the State and local officials consider taking some action); and Commendations or Noteworthy Practices (elements that demonstrate well thought out procedures for implementing the planning process).

The past certification took place in 2009 and included six commendations, seven programmatic recommendations, and twelve corrective actions. Brienzo then reviewed the status report which was submitted to the members, highlighting that most of the Programmatic Recommendations from 2005 have been resolved. Programmatic Recommendation #4 was converted to a corrective action, which is in the process of being addressed. The MPO prospectus (management plan) has been updated. The staff worked with the County and the City to come up with interlocal agreements, which were forwarded to the State last summer and their review is nearing completion. The interlocal agreements will be updated upon receipt of the State's comments.

With respect to the 2005 Programmatic Recommendation #5, Brienzo advised that the staff worked with the Chamber of Commerce to identify a core group from the freight industry to help planning address the freight interests in the transportation and Long Range Transportation Plan (LRTP) process. This task force has been very helpful and we intend on this being an ongoing activity.

Brienzo then reviewed the Corrective Actions starting on page 4 of the report:

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| CA1 | Address estimated total project costs: Brienzo stated that this is being addressed in the draft Work Program and will be included in the TIP once the LRTP is completed. The transportation plan is currently in draft form. The TIP must reflect the LRTP, so projects identified in the plan will move from the plan, based on their priority, into the TIP. It is a very detailed listing of projects in the transportation plan. |
| CA2 | Provide current and forecasted revenues available: Brienzo explained that this has been done in the past, but the fiscal constraint was a little soft and FHWA wanted it tightened down. |
| CA3-4 | Address environmental mitigation strategies: Brienzo advised that this has been done during the current plan update and there will be an extensive report in the technical element of the plan. |

- CA5 TIP financial plan upgraded: Brienzo explained that the TIP is to have a financial plan that reflects the LRTP – the LRTP is a work in progress. The total costs for the projects have been included in the current TIP. The current TIP includes costs prior to the current fiscal year and any costs beyond the programming year. The changes being requested have been made and more will be made as the new transportation plan is adopted.
- CA6 & 8 Congestion Management Process: Brienzo explained that the Congestion Management Process is being used to identify and set priorities within the plan and this corrective action will be resolved upon adoption of the plan.
- CA7 Individual projects cannot be deleted or added to TIP: The FHWA is not in favor of deleting or adding projects – you either adopt the whole TIP or reject the whole TIP, which means we have to have a fiscally constrained document in the followup process.
- CA9 The Unified Planning Work Program (UPWP) is an ongoing activity and is updated every year, and the issues identified in the corrective action have been addressed. Brienzo believes this corrective action is resolved, even though it will be ongoing to maintain that report. The Program needs to be amended and kept current as funds are moved around.
- CA10 The Public Participation Plan was adopted in November 2010 and is considered resolved.
- CA11-12 The issue of defining the MPO boundaries has been resolved. The boundaries are now included in the management plan and posted on the Web page.

Brienzo assured that the recommendations are being taken seriously. We do have a MPO Web page that thoroughly identifies these activities, and there is a new logo that identifies the MPO.

In terms of identifying projects as part of our vision plan, the projects are being included in the LRTP. This is called the “needs element” of the plan, i.e projects that are beyond the funded projects and this identifies the limitations.

Referring to page 8, Brienzo advised that the travel model has been updated and reviewed by NDOR and meets their standards. This travel model is being used during the transportation plan update. The updated model was accepted and the staff believes it is very functional.

In addition, Brienzo advised that the TIP is being identified as a key document for programming projects, and it is the single document that the FHA and FTA consider in reviewing whether or not federal funds are programmed.

Lastly, the FHWA, FTA and EPA are considering new policies to emphasize livability, climate change and related issues. There will be more discussions about these issues in the new transportation plan.

Hornung requested a report on Items 6 and 7 specifically. It appears to him that we are being given guidance on things we are supposed to do that aren't even yet authorized by Congress. Brienzo agreed,

stating that the staff did struggle with how to identify “livability” in the plan. This is something we are being encouraged to consider in our planning process. Hornung wants updates on what is being done in an attempt to comply with these products. Brienzo pointed out that the draft transportation plan will be out in a couple weeks. Hornung requested a summary on how that proposal works through these programs.

Brienzo advised that each year as we bring forward the planning documents in the TIP, we are to jointly certify that we are meeting the federal requirements as identified in the Federal Surface Transportation Act. This is regulatory and we are held to that by the regulations. The compliance evaluation is done jointly by members of the Technical Committee and has been recommended to the Officials Committee by the Technical Committee. This self-certification lists the key regulatory elements and briefly discusses how they are being addressed and by what documents. The staff coordinates with NDOR and it is agreed that we are meeting these requirements by these means.

Hornung inquired whether we are meeting these requirements. Marvin Krout, Director of Planning, suggested that we won’t know for sure until after January 2012. Brienzo observed that this action is for self-certification and is regulatory. The other is statutory. The self-certification is key to our funding and is an effort to recognize the work at hand. Brienzo also stated that our federal planner thinks we are on track.

Hornung again asked if we are meeting the self-certification requirements. Brienzo stated, “yes”, based on joint review and evaluation, the NDOR and MPO recommend that the Metropolitan Planning Process for the Lincoln MPO be certified with conditions as identified in the “Action Plan for Addressing the Quadrennial Certification Review.”

Hornung moved approval of the self-certification, seconded by Schorr and carried unanimously.

Review and action on the draft Lincoln City / Lancaster County FY 2012-2015 Transportation Improvement Program

Brienzo explained that each year the TIP is updated to coincide with the updating of the State TIP. The purpose is to identify federal funded projects and for project coordination between agencies. This also includes coordination of transportation enhancement projects with the State, Lancaster County, City of Lincoln, StarTran, and Airport Authority. It is organized according to agency or jurisdiction and each project is identified in terms of any funding that has taken place prior to this fiscal year and how the funding will flow over the next four years and any costs beyond that. Projects are listed and carry specific numbers that coordinate with the State system. We are very careful to work on this with the State as the State is the approving agency for federal funds. The program is fiscally constrained and obligates federal funds for four years. This assures that the funds are in place, but we are obligating our own funds as a match. All of the projects conform with the current 2030 LRTP. These projects are coordinated with the City CIP and the County One and Six Road Construction Program. The State has their own programming process.

In response to question asked by Hornung, Brienzo stated that the projects in the TIP are required to have committed funding. The TIP is not a list of projects listed for speculation. We put these in because we want to construct them. The federal funds are tied to the projects and they are required to be in this program to obligate federal funds.

Schorr inquired how the Lincoln Wyuka Stables Renovation project fits in. Brienzo explained that it is a historical transportation facility – enhancement funding can also be used for historical project. It did go through the state reviewing committee and was recommended and accepted for funding.

Schorr moved approval of the TIP, seconded by Hudkins and carried 5-0 (the Mayor being out of the room at the time of the vote).

Review and action on the *Lincoln-Lancaster FY 2011-2012 Unified Planning Work Program for Transportation Planning within the Lincoln Metropolitan Area*

Brienzo explained that each year, as the lead planning agency for the MPO, the City is assigned federal funds from the gas tax to perform planning functions to keep all these other documents in place. This fiscal year, the City of Lincoln is receiving \$367,378, which is a slight reduction from previous years. We are carrying over \$90,000 from last fiscal year due to contracts currently in place that are supported with PL funds and assigned to those contracts. We use these funds for several reasons – the primary focus of this program is on the continuing transportation planning and data collection activities (traffic counting, accident reporting, collecting data). The PL funds are also used to develop these reports that maintain the MPO planning process. These funds are also used to update the travel model and the LRTP update, and we plan to do several small projects this coming year that we think fit into our priorities and our limited funding availability. We expect the draft phase of the Comprehensive Plan and Transportation Plan to be completed in the next couple of weeks. This will be available for public comments at the Planning Commission. The adoption process is expected to take us at least through the end of November.

The new LRTP identifies a new program that we would want to get off the ground quickly which involve developing travel demand management (TDM) activities. We would look to the PL funds to help fund development of a strategic plan for a TDM plan. We do not have the scope of services prepared yet but want to bring in an expert to help us develop the initial phase of this plan. We would also like to do a strategic bike and pedestrian implementation study with a contract for professional services to help us develop an implementation plan. There are also funds set aside for the maintenance of the travel demand model.

The remainder of the projects included in the Unified Planning Work Program is in terms of transportation planning are for ongoing activities, such as planning staff hours, GIS staff hours, traffic counting, and accident reporting.

This work program also includes transit planning, i.e. StarTran. They receive federal transit funds as identified on page 61.

Hudkins moved approval of the UPWP, seconded by Hornung and carried 5-0 (the Mayor being out of the room at time of vote).

Briefing on the *2040 Long Range Transportation Plan* update and coordination with the Lincoln-Lancaster County Comprehensive Plan

Brienzo submitted a calendar of the LPlan 2040 process. The process of updating the transportation plan in coordination with the new Comprehensive Plan began in the spring of 2010. We have gone

through an extensive public participation process, established Web pages, had public comments and interaction on all phases of the plan development, and had a committee representing the City and County which met every other week to discuss items and to develop the plan as it stands today. That work is all being put together now and the draft plan document is anticipated to be out the first week in July. There will be a special public hearing before the Planning Commission, followed by public review with the City Council and County Board. There will be a newspaper insert to encourage the general public to evaluate the plan and provide comments. The Technical Committee will meet on August 2nd for their review and input. The Planning Commission will hold a workshop on August 10th. The Planning Commission will then hold a special public hearing on August 17th; with continued public hearings anticipated on August 24th and September 7th. From there the staff will move forward to address comments and recommendations of the Planning Commission, and bring the resulting recommended plan to the City-County Common in the first part of October. The intent is to hold a joint public hearing with the City Council and County Board on the overall transportation plan and Comprehensive Plan. The plan is expected to be back before the Officials Committee in December, 2011. The Officials Committee will be acting on the transportation element of the new Comprehensive Plan and Transportation Plan. We expect this to satisfy our corrective actions.

Schorr inquired as to the anticipated result of the insert in the newspaper. It is difficult to tell the kind of feedback we will get but do expect to engage the public on this plan. Brienzo indicated that there have been ongoing public meetings for each phase of the plan development but the public has not seen the final document. They may disagree or agree with how we address the communities needs as they have identified.

Other topics for discussion - None.

There being no further business, the meeting was adjourned at 2:15 p.m.

*** Please note that these minutes will not be formally approved until the next meeting of the Metropolitan Planning Organization Officials Committee. ***